

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEVIN OWENS,
Petitioner,

v.

CITY OF PHILADELPHIA,
Respondent.

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CIVIL ACTION NO. 18-CV-4522

ORDER

AND NOW, this 23rd day of October, 2018, upon consideration of *pro se* Petitioner Kevin Owens's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1), his Petition for Writ of Mandamus (ECF No. 2), and his Motion for Return of Property (ECF No. 3), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. The Petition for Writ of Mandamus is **DEEMED** filed.
3. The Petition for Writ of Mandamus is **DISMISSED** for lack of jurisdiction for the reasons set forth in the Court's Memorandum. This dismissal is **without prejudice** to Owens's right to seek mandamus or other relief in the state courts with respect to his vehicle. Owens may not file an amended petition for a writ of mandamus in this matter.
4. Owens's Motion for Return of Property is **DENIED**.
5. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.